

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA

v.

ROBIN POOLE
JAMES POOLE

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No. 2:09-cr-18

MEMORANDUM AND ORDER

This criminal case is before the court on the defendants' motions for a continuance of the hearing for entry of their guilty pleas [docs. 54 and 55]. Counsel for defendant Robin Poole avers that he needs additional time to advise his client on the issue of a potential enhancement for possession of a firearm and its impact on her eligibility for the safety valve. Defendant James Poole agrees with the request, and the government informed the court that it had no objection to a short continuance.

The court finds the defendants' motions well taken, and they will be granted. The court finds that the ends of justice served by granting the motions outweigh the best interests of the public and the defendants in a speedy trial. 18 U.S.C. § 3161(h)(8)(A). The court finds that the failure to grant the defendant's motion would deny counsel for the defendant the necessary time to research a potential sentencing issue and advise his client before she enters a guilty plea.

18 U.S.C. § 3161(h)(8)(B)(iv). Therefore, all the time from the filing of the defendants' motions to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A).

Therefore, it is hereby **ORDERED** that the defendants' motions are **GRANTED**, and the hearing for the entry of the defendants' pleas of guilty is **CONTINUED** to Friday, **June 26, 2009, at 1:30 p.m.** in Greeneville.

ENTER:

s/ Leon Jordan
United States District Judge